The Travancore-Cochin Sales of Khaddar Bill

Minister for Finance and Food **(Sri. K. M. Korah)**: I beg to introduce the Travancore-Cochin Sale of Khaddar Bill.

Minister for Education and Revenue **(Sri. L. M. Pylee)**: I second it.

Sri K. M. Korah: In 1950, the Parliament passed the Khaddar Act regulating the use of "Khaddar" and "Khadi" when applied as a trade description of woven materials. The intention of Parliament in enacting this legislation was that it should be followed up by laws passed by the State Legisla ures providing for the licensing of dealers in Khaddar and Khadi and the prohibition of the sale of such materials except by licensed dealers or by dealers holding certificate from the All India Spinners' Association. Parliament could not enact this law in view of the fa:t that this fell within the scope of certain entries in the State legislation. The present Bill is designed to carry out the above intentions of Parliament.

The question that the Travancore-Cochin Sale of Khaddar Bill be introduced was put and carried.

Sri. K. M. Korah: I move that the Bill be taken into consideration,

Sri. L. M. Pylee: I second it.

Sri. P. S. Nataraja Pillai: I oppose this, Sir. I move that it may be referred to a Select Committee. In the statement of objects and reasons it is stated that the mention of Parliament in enacting the Khaddar (Protection of Yarn) Act was to follow it up by laws passed by the State Legislatures. But as far as that parliamentary act is concerned there is absolutely no suggestion like that anywhere in it. It was confined to the trade description of Khadi within the meaning of Trade Mark. The definition of Khadi is any cloth woven on hand loom in India from yarn hand spun in India applicable to states as well. The statement about the intention of Parliament does not come within the Act. Therefore there is no necessity to license a particular set of peoples to deal in Khadi and there is no provision to that effect in the Control Act. A few will have to be charged for a licence and whether this system will be advantageous for the development of Khadi is a serious question for consideration. Another provision in the Bill is that a certificate from the Secretary, All India Spinners Association will be equal to a licence granted by Government. All India Spinners' Association is not a statutory body. Whatever may be the sacredness, how much great the veneration associated with the name of that sacred person of India who sponsored this institution yet it will be a matter for serious consideration to put a body, like the, All India Spinners' Association, on an equal basis with Government.

Sir, it is better to discuss all provisions and implications in a select committee and to come to a clear understanding than to decide it here. Then about the penalty. A penalty of thousand rupees is provided for a bonafide mistake that may be committed, by marketting an article with a false trade mark. Whether the penalty is heavy or not is another matter to be considered. Imprisonment is the punishment for any breach of the rule. There it is provided that no court shall take cognisance of an offence ender this unless Government initiates it. That is a peculiar kind of provision. By this provision, Government is taking up unnecessary responsibility. I think it is better if the official benches will reconsider whether we should have a bill of this nature or not. Will it not be better to give freedom to Khadi trade if we want the development of Khadi. If the Government are very particular that it is necessary to introduce a legislation, they must concede to the position that the Bill may be sent up to a Select Committee to go into the details, study its various provisions and submit a report before it is taken into consideration here. With these words, I move that the Bill be referred to a Select Committee.

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Sri. K. M. Korah : I oppose Mr. Nataraja Pillai. My hon. friend will concede the fact that the Parliament would not enact a law providing for the licensing of dealers in Khaddar and Khadi.

Sri. P. S. Nataraja Pillai : May I know the Parliamentary Act which contains that provision ?

Sri. K. M. Korah : This provision is not in the Act. There is another difficulty also in this matter. In the statement of objects and reasons of the Bill it is clearly stated that it is the intention of the Parliament that it would be followed up in State legislatures.

Sri. P. S. Nataraja Pillai : In the preamble, it is not mentioned.

Sri. K. M. Korah : It is directed that this Government should follow the directions of Parliament so far as this particular matter is concerned. In these circumstances, I oppose the amendment,

Sri. D. Gnanasigamoni : In view of the fact that the Secretary of the All-India Spinners' Association is recognised as a licensing authority under this Bill, may I know the nature of the control which Government will have on that licensing authority ?

Sri. K. M. Korah : That is an All-India Association recognised by the Government of India.

Sri. D. Gnanasigamoni : Then the Secretary is not a licensing authority under this Act ?

Sri. K. M. Korah : As far as that matter is concerned it is enough if a certificate is obtained from that Association.

Sri. D. Gnanasigamoni : The question is "what is the nature of control this Government have on a licensing authority under this Act ?

Sri. K. M. Korah : Here we do it by way of notifications published in the Gazette.

Sri. P. S. Nataraja Pillai : Have we the control ?

Sri. K. M. Korah : Yes, we have control. I would draw the attention of Sri. P. S. Nataraja Pillai to Section 4 : "The Government may, by notification in the gazette, appoint one or more persons as they may think fit, to be the licensing authority for any local area or for the whole State".

Sri. D. Gnanasigamoni : I follow it. Two licensing authorities are contemplated under this Act, the Textile Commissioner and the Secretary. So far as the Textile Commissioner is concerned he has control, while Secretary has no control. But he is supposed to be appointed as a Licensing authority. under this Act.

Sri. K. M. Korah : Not as a licensing authority. It is enough if a certificate is obtained from the Secretary.

Sri. D. Gnanasigamoni : Can he be prosecuted if he goes against this provision ?

Sri. K. M. Korah : Yes.

Sri. P. S. Nataraja Pillai : I move that the Bill be referred to a Select Committee consisting of the following Members ;

Sri. D. Gnanasigamoni	Sri. K. S. Joseph
„ N. P. Varghese	„ Kalathil Velayudhan Nair
„ P. Kunjukrishnan and	„ N. D. Jose.

The motion of Mr. P. S. Nataraja Pillai was put and lost.

Sri. P. S. Nataraja Pillai : I demand a poll.

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A poll was taken when the House divided as follows :

Ayes—11

1. Sri. N. D. Jose
2. ,, K. Sivarama Pillai
3. ,, D. Gnanasigamoni
4. ,, M. Govindan
5. Sahib Bahadur T. A. Mohideen Kunju
6. Sri. E. Gopalakrishna Menon
7. ,, Raphael J. Rodriguez
8. ,, K. Ramakrishnan Asari
9. ,, P. S. Nataraja Pillai
10. ,, Elias Mary Antony
11. ,, K. Ramachandran.

Noes—24

1. Sri. C. Kesavan
2. ,, K. M. Korah
3. ,, L. M. Pylee
4. ,, T. T. Kesavan Sastri
5. ,, Alaxander Parambithara
6. ,, N. P. Varghese
7. ,, P. Gopalan
8. ,, Joseph Mathen
9. ,, A. V. Joseph
10. ,, P. Kunjukrishnan
11. ,, Kannara Gopala Panicker
12. Sahib Bahadur P. K. Makkaru Pillai
13. Sri. R. Achuthan
14. ,, E. Bhaskaran
15. ,, Paulose Pylee
16. ,, P. Nanoo
17. ,, Paul Thaliath
18. ,, A. P. Udayabhanu
19. ,, K. A. Mathew
20. ,, Krishnan Ayyappan
21. ,, K. Sarangadharan
22. ,, Ambat Eachara Menon
23. ,, V. Madhavan
24. ,, K. M. Chandy.

Neutrals—Nil

The question that the Travancore-Cochin Sale of Khaddar Bill be taken into consideration was then put and carried.

Sri. P. S. Nataraja Pillai: I have not tabled amendments. I may be given time for that till 6 p.m. today.

Mr. Speaker: Yes. Further consideration of the Bill will be taken up tomorrow.

Announcement regarding Election of Members to the Library Advisory Committee

മിസ്റ്റർ സ്പീക്കർ: ലൈബ്രേറിവു ലൈബ്രറി അഡ്വൈസറികമ്മിറ്റിക്കു കൊടുത്തിയ നാമനിർദ്ദേശങ്ങൾ പരിശോധിച്ചതിൽ അവയെല്ലാം സാധുവാണെ

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